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WHEN RECORDED MAIL TO:

CITY CLERK  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

FREE RECORDING

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee. (Government Code §6103)

Project: Tract No. 27654

RECEIVED FOR RECORD  
AT 12:00 O'CLOCK P.M.

NOV 12 1993

Recorded in Official Records  
of Riverside County, California

Recorder  
1993

13607

AVIGATION EASEMENT

WHEREAS TEXAS AVENUE YOUTH CENTER, INC., hereinafter called the "Grantors", are the owners in fee of that certain real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A", attached hereto and incorporated herein by this reference, hereinafter called "the Grantors' property"; and

WHEREAS the Grantors' property is located within the Airport Influence Area for the Riverside Municipal Airport operated by the City of Riverside; and

WHEREAS the Grantors have sought approval from the City of Riverside for the development of the Grantors' property by the project above-referenced; and

WHEREAS the City of Riverside has conditioned the approval of such project by requiring the granting of an avigation easement over the Grantors' property;

NOW, THEREFORE FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTORS do hereby grant to the CITY OF RIVERSIDE, a municipal corporation of the State of California, hereinafter referred

13607

to as "Grantee", its successors and assigns, for the use and benefit of the public, a perpetual easement and right of flight appurtenant to the Riverside Municipal Airport for the passage of aircraft by whomsoever owned and operated in the airspace above the surface of the Grantors' property as described in said Exhibit "A", together with the right to cause in said airspace such noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, fuel particles and other related conditions that may be inherent in the operation of aircraft landing at, taking off from or operating at or on the Riverside Municipal Airport. "Aircraft" is defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed for navigation of or flight in the air.

Grantors hereby acknowledge that the Riverside Municipal Airport is an operating airport subject to increases in the intensity of use and operation, including present and future noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, and fuel particles and related conditions, and Grantors hereby fully waive, remise and release any right or cause of action which Grantors may now or in the future have against Grantee, its successors and assigns, due to such noise, sound or shock waves, vibrations, dust, smoke, odors, fumes, fuel particles and other related conditions that may be caused by the operation of aircraft landing at or taking off from, or operating at or on the Riverside Municipal Airport. Said waiver and release shall include, but not be limited to, claims known or unknown for damages for physical or emotional injuries, discomfort, inconvenience, property damage, interference with use and enjoyment of property, diminution of property

values, nuisance or inverse condemnation or for injunctive or other extraordinary or equitable relief.

Grantors, on the behalf of Grantors and the successors and assigns of Grantors, agree not to construct or permit the construction or growth of any structure, tree or other object that obstructs or interferes with the use of the rights herein granted or that creates electrical interference with radio communication between any installation at the Riverside Municipal Airport and aircraft, or to cause difficulty for pilots to distinguish between airport lights and other lights or to impair visibility in the vicinity of the Riverside Municipal Airport, or to otherwise endanger the landing, take-off, or maneuvering of aircraft on or at said Riverside Municipal Airport.

IT IS UNDERSTOOD AND AGREED that this easement and the rights and restrictions herein created shall run with the land and shall be binding upon the Grantors and the heirs, administrators, executors, successors and assigns of Grantors.

Dated 9-29-93

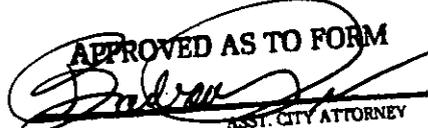
TEXAS AVENUE YOUTH CENTER, INC.

By Douglas R. McCallen

Title PRESIDENT

By William H. Brummett

Title SECRETARY

APPROVED AS TO FORM  
  
 ASST. CITY ATTORNEY

GENERAL ACKNOWLEDGEMENT

State of California }  
County of Riverside }<sup>ss</sup>

On 9/29/93 before me BARBARA E. SMELTZER  
(date) (name)

a Notary Public in and for said State, personally appeared

William H. BONNETT III  
Name(s) of Signer(s)

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
- ( ) Corporate Officer(s)  
Title \_\_\_\_\_
- ( ) Guardian/Conservator
- ( ) Individual(s)
- ( ) Trustee(s)
- ( ) Other
- ( ) Partner(s)  
( ) General  
( ) Limited

The party(ies) executing this

 **BARBARA E. SMELTZER**

State of California }  
County of Riverside }

On 9/29/93 before me BARBARA E. SMELTZER  
(DATE) (NAME, TITLE OF OFFICER - I.E., "JANE DOE, NOTARY PUBLIC")

personally appeared Douglas R. Shackleton  
(NAME(S) OF SIGNER(S))

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

 **BARBARA E. SMELTZER**  
COMM. #990810  
NOTARY PUBLIC - CALIFORNIA  
RIVERSIDE COUNTY  
My Commission Expires April 8, 1997

Witness my hand and official seal.  
Barbara E. Smeltzer  
(SIGNATURE OF NOTARY)

RIGHT THU

452181



CAPACITY CLAIMED BY SIGNER(S)

- INDIVIDUAL(S)
- CORPORATE \_\_\_\_\_  
OFFICER(S) \_\_\_\_\_  
(TITLE(S))
- PARTNER(S)
- ATTORNEY IN FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
(NAME OF PERSON(S) OR ENTITY(IES))

ATTENTION NOTARY: The information requested below is OPTIONAL. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document \_\_\_\_\_  
Number of Pages \_\_\_\_\_ Date of Document \_\_\_\_\_  
Other Than Named Above \_\_\_\_\_

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, California, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 14883 of said City Council adopted January 25, 1983, and the grantee consents to recordation thereof by its duly authorized officer.

Dated

11/9/93

Real Property Services Manager  
of the City of Riverside

TEXAS.AE/a



**J. F. Davidson Associates, Inc.**  
ENGINEERING PLANNING SURVEYING LANDSCAPE ARCHITECTURE

*Building on a tradition of excellence since 1923*

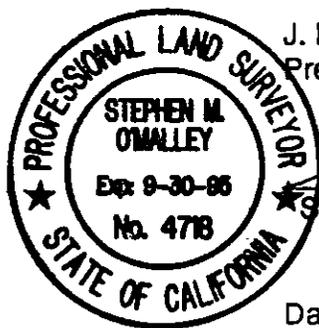
October 7, 1993

Project No. 9212845

**EXHIBIT "A"**

Avigation Easement  
Tract 27654 - Mayco

All of Lots 1 and 10 of Tract 27654, as shown by map on file in Book 246 of Maps at Pages 41 and 42 thereof, Records of Riverside County, California.



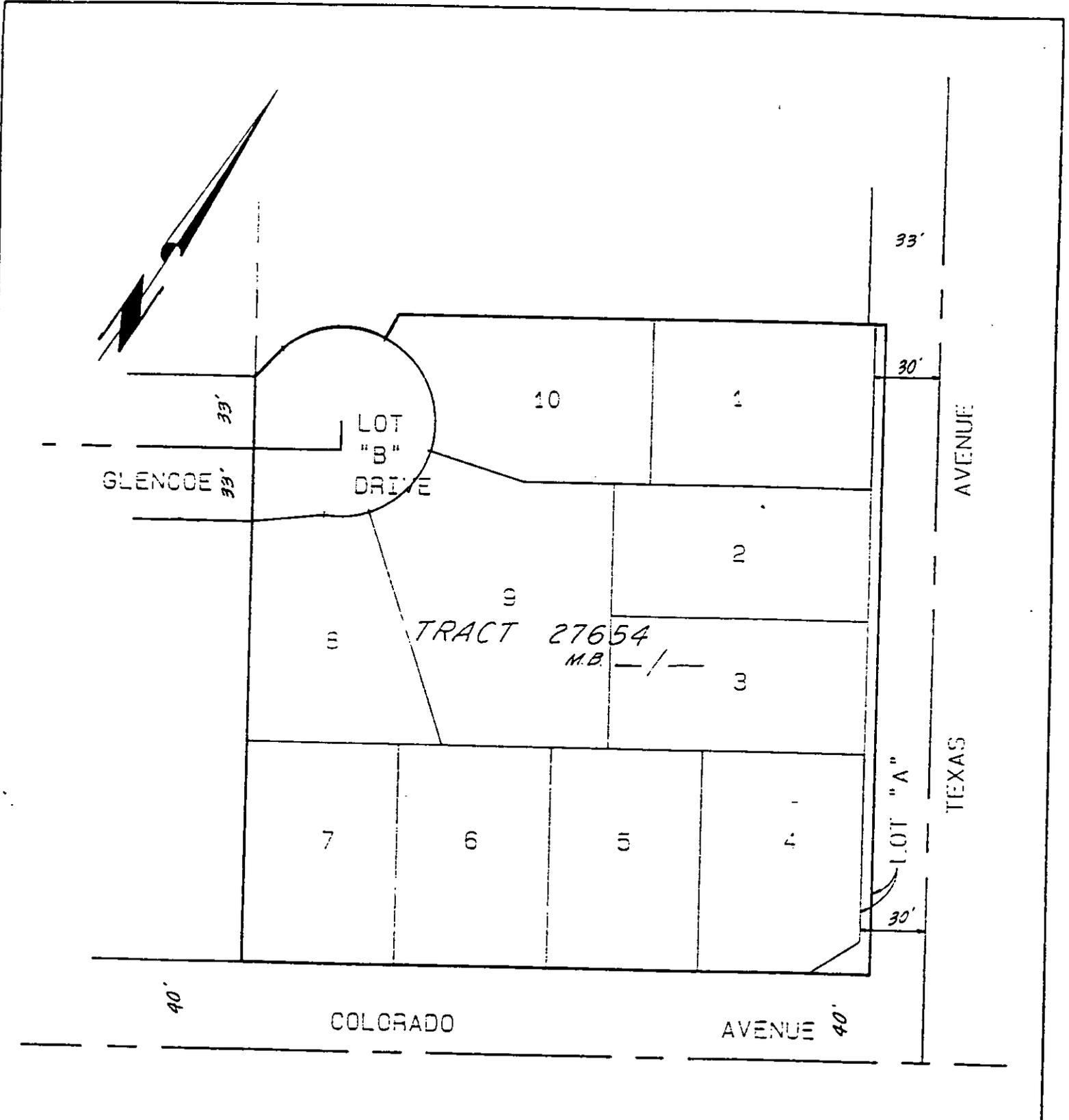
J. F. DAVIDSON ASSOCIATES, INC.  
Prepared under the supervision of:

*Stephen M. O'Malley*  
\_\_\_\_\_  
Stephen M. O'Malley PLS NO. 4718

Date: 10/7/93

MWC/yb  
leg:leg/hf3

DESCRIPTION APPROVAL 10/7/93  
Walter R. Arac by \_\_\_\_\_  
SURVEYOR, CITY OF RIVERSIDE



• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

372  
92-  
12845(P)

SCALE 1" = 60'

DRAWN BY M.C. DATE 10 / 7 / 93

SUBJECT AVIGATION EASEMENT - TR. 27654 - LOTS 1 & 10